

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
August 19, 2003, 9:00 A.M.

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation - Rev. Douglas Luginbill, Hope Mennonite Church
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
-

AWARDS AND PRESENTATIONS

- Proclamations
-

UNFINISHED BUSINESS

1. Residency Requirements for Boards and Commissions.
(Continued from July 8, 2003)

RECOMMENDED ACTION: Take the desired action.

2. CON2003-15 Conditional Use for Wrecking/Salvage Yard, on Property Zoned "GI" General Industrial. Generally Located North of 21st Street North and East of Broadway - 700 East 21st Street North. (District VI)
(Continued from August 12, 2003)

RECOMMENDED ACTION: Approve the Conditional Use, subject to Platting within one-year and to the recommended conditions.

NEW BUSINESS

3. Amendments to Animal Control Ordinance.

The proposed code revisions would limit the tethering of dogs, place restrictions on specific breeds declared to be dangerous, and impose registration and insurance requirements on owners or keepers of a dangerous dog.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

4. Central Avenue Bridge at Tara Street. (District II)

The 2003 Capital Improvement Program includes funds to improve the Central Avenue Bridge at Tara Street.

RECOMMENDED ACTION: Approve the project and first reading
of the Ordinance.

5. City/County Contract for Economic Development Services.

On July 1, 2003, the City Council agreed, in concept, to join a new economic development organization called the Greater Wichita Economic Development Coalition and to work with the other partners in developing the formal governance and economic development workplan/agreement.

RECOMMENDED ACTION: Approve the Agreement; authorize the
necessary signatures.

6. Amendment to the Minimum Facility Liability Insurance Standards for Licensed Alternative Correctional Housing Facilities.

The City of Wichita Alternative Correctional Housing Advisory (ACH) Board has considered proposed changes to the minimum liability insurance requirements for licensed alternative correctional housing facilities.

RECOMMENDED ACTION: Approve the Amendment.

7. Project Access Contract Renewal.

Since 1999, the City in partnership with the Sedgwick County Medical Society, United Way, and the County, has participated in a program (Project Access) providing medical services for the uninsured.

RECOMMENDED ACTION: Approve renewal of contract and authorize
the necessary signatures.

7A. Consent Settlement

RECOMMENDED ACTION: Authorize settlement and payment of costs.

CITY COUNCIL AGENDA

8. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

8A. Approval of Travel Expenses for Council Member Martz to Attend the Human Development Steering Committee Meeting in Dayton, Ohio, October 2 -5, 2003.

RECOMMENDED ACTION: Approve the expenses.

CONSENT AGENDA

9. Report of the Board of Bids and Contracts Dated August 18, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

10. Application for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2003</u>	<u>Consumption off Premises)</u>
Jim L. Smith	Farmer's Market Inc.	2901 North Broadway
<u>New Operator</u>	<u>2003</u>	<u>Consumption on Premises)</u>
Heather L. Soria	Cholitas Mexican Restaurant*	8987 West Central

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review
and approval.

11. Preliminary Estimates:

- a) Boxthorn from the north line of Lot 10, Block C, south and east to the west line of Wawona; on Mainsgate from the south line of Lot 9, Block C, north to the south line of Lot 7, Block C, and on Ayesbury from the east line of Boxthorn, east to the northwest line of Lot 10, Block E; Boxthorn Court from the southwest line of Boxthorn west to and including the cul-de-sac; and on Ayesbury Court from the northeast line of Ayesbury, northeast to and including the cul-de-sac. Sidewalk constructed along one side of Boxthorn, Mainsgate and Ayesbury to serve The Fairmont Addition - north of 21st Street North, west of 127th Street East. (472-83484/765808/490919) Does not affect existing traffic. (District II) - \$515,000
- b) Regency Park from 190 feet west of the west line of Lot 5, Block 2 to the west line of Lot 4, Block 1 to serve Regency Park Addition - north of K-96, west of Greenwich (472-83802/765807/490918) Does not affect existing traffic.. (District II) - \$180,000
- c) Bayley, Rue, and Lynnrae Lane from the east line of Bedford Court to the northeast line of Bayley, including the cul-de-sac to serve Lots 7 thru 10, Block C to serve Grace Park Addition - north of Harry, east of Greenwich. (472-83798/765806/490917) Does not affect existing traffic. (District II) - \$324,000
- d) Bedford Court at the northeast corner of Lot 4, Block 4, Windsor Park Addition, and a cul-de-sac on Bedford Court at the east line of Lot 8, Block 4, Windsor Park Addition, and curb to gutter paving on Bedford from the south line of Bayley to Lincoln to serve Grace Park Addition - north of Harry, east of Greenwich. (472-83797/765805/490916) Does not affect existing traffic. (District II) - \$126,000
- e) Rita, from the east line of Maize Road to the south line of Jewell; Jewell, from the west line of Rita to the east line of Crestline; Jewell Circle, from the west line of Rita, to and including cul-de-sac (Lots 18 thru 27, Block 1); Crestline from the north line of Lots 34, Block 2 to the south line of Jewell to serve Shelly's Orchard Addition - east of Maize, north of Pawnee. (472-83783/765804/490915) Does not affect existing traffic. (District V) - \$244,000

- f) 2003 Planeview Sanitary Sewer Rehabilitation, Phase A N/A - between Hillside and Oliver, north of 31st Street South. (468-83650/622239/643347) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$63,270
- g) 2003 Sanitary Sewer Rehabilitation, Phase C N/A - between Seneca and Woodland & 21st Street North and 55th Street South. (468-83664/620384/663505) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,III,VI) - \$131,000
- h) Canal Route Manhole Reconstruction, Phase 1 - along I-135 Canal between Third Street and Kellogg. (468-83491/624077/652526) Does not affect existing traffic. (District I) - \$256,000

RECOMMENDED ACTION: Approve and file.

12. Deeds and Easements:

- a) Sidewalk and Traffic Signal Easement dated July 24, 2003 from Calvary United Methodist Church of Wichita, Kansas, Inc., a Kansas Religious Corporation for a tract of land located in Lot 11, Block 4, Sycamore Village 3rd Addition to Wichita, Sedgwick County, Kansas (Rock, 22nd to 29th, OCA #706844). No cost to City.
- b) Street Light Easement dated May 27, 2003 from Jimmy S. Ogborn and Maria Ogborn for a tract of land located in Lot 2, Block 2, Southriver Addition to Sedgwick County, Kansas (Street Lights, OCA #130161). No cost to City.
- c) Street Light Easement dated June 10, 2003 from Mike L. Davis and Jessica L. Davis for a tract of land located in Lot 21, Block 2, Orchard View 2nd Addition, Sedgwick County, Kansas (Street Lights, OCA #130161). No cost to City.

RECOMMENDED ACTION: Accept documents.

13. Petition to Construct a Water Distribution System to Serve Part of Dugan Industrial Second Addition-North of K-42 Highway, East of Maize Road. (District IV)

RECOMMENDED ACTION: Approve Petition; adopt Resolution.

14. Minutes of Advisory Boards/Commissions:

Board of Code Standards and Appeals Meeting Minutes July 7, 2003
Design Council Meeting Minutes July 17, 2003
Housing Authority Board Meeting Minutes June 17, 2003
Office of Wichita Public Library Meeting Minutes July 15, 2003
Wichita Employees' Retirement Board/Police & Fire Retirement Board April 25, 2003
Wichita Employees' Retirement Board/Police & Fire Retirement Board May 1, 2003
Wichita Employees Retirement Board/Police & Fire Retirement Board May 23, 2003
Wichita Employees' Retirement Board/Police & Fire Retirement Board June 5, 2003
Wichita Employees' Retirement Board Regular Meeting Minutes June 18, 2003
Wichita Employees' Retirement Board Regular Meeting Minutes June 25, 2003
2002 Comprehensive Annual Financial Report, Wichita Retirement Systems

RECOMMENDED ACTION: Receive and file.

15. Quarterly Financial Report for the Second Quarter of 2003.

RECOMMENDED ACTION: Receive and file.

16. Weapons Destruction:

RECOMMENDED ACTION: Receive and file list of weapons.

17. Report on Claims Allowed July, 2003:

<u>Name of Claimant</u>	<u>Amount</u>
Green, Dana M.	\$104.00
Shedrick	\$407.00
Kansas Gas Service	\$725.48**
Laudick, Sharon	\$160.30

** Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

18. Agreements/Contracts:

- a) Railroad permits for Mains 19 and 20 Southwest Interceptor Sewer-North of 21st Street, East of Tyler Road in Basin 4. (District V)
- b) Construction engineering and staking for Reed's Cove Addition-South of 21st/East of 127th Street East. (District II)
- c) Water Treatment Pilot Study.

RECOMMENDED ACTION: Approve the Agreements; authorize necessary Signatures.

19. Design Services Agreement - Tyler's Landing Addition-South of 37th Street North, East of Tyler. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

20A. Payment of Condemnation Awards:

- a) 1425 South Ridge Road. (District V)
- b) 1937 North Hillside. (District I)

RECOMMENDED ACTION: Authorize payment.

21. Acquisition of a Portion of 233, 241, 245, and 253 North Hillside: Hillside Kellogg to Central. (District II)

RECOMMENDED ACTION: Approve the acquisition and Contract;
authorize the necessary signatures.

22. Repair or Removal of Dangerous and Unsafe Structures.

	<u>Address</u>	<u>District</u>
a)	2812 East Mossman	I
b)	1246 North Poplar	I
c)	1143 North Estelle	I
d)	717 North Beech	II
e)	660 North Byrd	II

RECOMMENDED ACTION: Adopt Resolution (s) setting the Public Hearing
on October 7, 2003, at 9:30 a.m. or soon thereafter.

23. Resolution - Reconveyance of Portion of Land – Riverside Health Systems, Inc. (District VI)

RECOMMENDED ACTION: Adopt Resolution.

24. Second Reading Ordinance: (First read August 12, 2003)

- a) Public Hearing and Request for Issuance for Industrial Revenue Bonds – Premier Beverage, Inc.
(District IV)

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$3,325,000 aggregate principal amount of taxable Industrial Revenue Bonds, Series III, 2003 (Premier Beverage, Inc.) for the purpose of providing funds to purchase, acquire, remodel and equip a commercial distribution facility; prescribing the form and authorizing execution of a Trust Indenture by and between the City and Central Bank & Trust Company, as Trustee with respect to the Bonds; prescribing the form and authorizing the execution of a Lease Agreement by and between the City and Premier Beverage, Inc.; approving the form of a Guaranty Agreement by and between the City and Glazer's Wholesale Drug Company, Inc., as purchaser of the Bonds.

RECOMMENDED ACTION: Adopt Ordinance.

25. First Reading Ordinance - Special Assessments for Sidewalk Repairs.

RECOMMENDED ACTION: Approve first reading of Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

- *26. DED 2003-15 - Contingent Dedication of a Sidewalk and Utility Easement for Property Located North of Pawnee and West of Hillside. (District III)

RECOMMENDED ACTION: Accept the Dedication.

- *27. SUB 2003-47 - Plat of Wilson Farms Fourth Addition, Located West of Webb Road, South of 21st Street North. (District II)

RECOMMENDED ACTION: Approve the documents and plat; authorize necessary signatures; adopt the Resolutions.

- *28. ZON2003-34 - Zone Change from Single-Family Residential to General Office - South of 33rd Street North, East of Arkansas Avenue. (District IV)

RECOMMENDED ACTION: Approve, subject to platting within one-year.

- *29. A03-21- Request to Annex Land Near the Southwest Corner of the South Tyler Road /West MacArthur Street Intersection. (District IV)

RECOMMENDED ACTION: Approve first reading of the Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

30. Passenger Boarding Bridges Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the contract and capital project budget.

31. Security System for the Second Floor of Terminal Building Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Accept the proposal on a sole- source basis.

32. Law Enforcement Reimbursement Agreement-Transportation Security Administration.

RECOMMENDED ACTION: Approve the Agreement, and authorize the necessary signatures.

33. License Agreement – Transportation Security Administration.

RECOMMENDED ACTION: Approve the license agreement, and authorize the necessary signatures.

34. Airport Program Grant applications.

RECOMMENDED ACTION: Approve the Grant applications; authorize the necessary signatures.

HOUSING AGENDA

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

Inafay Grays-McClellan, Housing Member is also seated with the City Council.

35. Housing Services Department Expansions Project.

RECOMMENDED ACTION: Review expansion options and authorize construction project.

36. Reports:

- a) Public Housing Occupancy.
- b) Public Housing Capital Improvements.
- c) Section 8 Monthly Statistical.

RECOMMENDED ACTION: Receive and file.

Adjournment
